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WEST INTERACTIVE CORP.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

PHOENIX SOLUTIONS, INC., a
Maryland corporation,

Plaintiff and Counterclaim-
Defendant,

v.

WEST INTERACTIVE CORP., a
Delaware corporation,

Defendant and Counterclaim-
Plaintiff.

Case No. 2:09-08156 MRP (SSx)

**APPLICATION TO FILE UNDER
SEAL**

Judge: Honorable Mariana R. Pfaelzer

ORIGINAL

BY: *[Signature]*

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APPLICATION TO FILE UNDER SEAL:

Pursuant to Local Rule 79-5.1, Defendant West Interactive Corp. ("West") seeks leave to file the following documents under seal:

1. Exhibits 5, 6, 7, 8 and 10 to the Declaration of Ryan M. Kent in Support of Motions for Summary Judgment of Invalidity Regarding the '640, '854, '431 and '846 Patents ("Kent Decl.").

The documents sought to be filed under seal contain material that has been designated "Confidential" or "Confidential – Attorneys' Eyes Only" under the terms of the February 11, 2010 Protective Order in this matter or under the terms of the June 29, 2009 [Proposed] Protective Order approved on July 1, 2009 in the Order Approving Protective Order in *Pheonix Solutions, Inc. v. Pacific Gas and Electric Company*, Case No. 2:09-cv-00774 MRP (SSx). West is obligated to file this material under seal pursuant to the terms of these orders.

For the foregoing reason, West respectfully requests the Court to grant this Application and order that Exhibits 5, 6, 7, 8 and 10 to the Kent Declaration shall be filed under seal.

Dated: June 1, 2010

DURIE TANGRI LLP

By: /s/ Ryan M. Kent
RYAN M. KENT

Attorneys for Defendant and Counterclaim
Plaintiff WEST INTERACTIVE
CORPORATION